

U.S. Department of Justice



United States Attorney
Southern District of New York

MEMORANDUM ENDORSED

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

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April 15, 2008

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BY FACSIMILE

**JUDGE S. W. KRAM
CHAMBERS**

The Honorable Shirley Wohl Kram
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: United States v. Miguel Sierra-Marte & Mario Gonzalez
S3 06 Cr. 428 (SWK)

Dear Judge Kram:

The Government respectfully submits this letter to inform Your Honor that the Government has provided both defendants Miguel Sierra-Marte and Mario Gonzalez plea agreements in this case. Through their respective counsel, both defendants have indicated that they will plead guilty pursuant to the plea agreement. The Government and counsel for defendant Gonzalez are currently discussing scheduling of Gonzalez's plea in Magistrate's Court. Because of international travel obligations, Sierra-Marte's attorney has asked for additional time to review the plea agreement with his client. The Government consents to such additional time. Accordingly, the parties respectfully request that the pre-trial conference scheduled for April 16, 2008, be adjourned and the Court set a control date for May 14, 2008. The Government anticipates that both defendants will have pled guilty by May 14, 2008. Counsel for both defendants consent to the exclusion of time under the Speedy Trial Act until May 14, 2008.

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Thank you for your consideration of this matter.

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney
Southern District of New York

By:

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Assistant United States Attorney
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cc: Jose Muniz, Esq.
David Goldstein, Esq.

Application granted. The next control date in this matter is scheduled for May 14, 2008, at 10:30 a.m. In the interests of justice, time under the Speedy Trial Act is excluded until that date.

SO ORDERED

Shirley Wohl Kram
JUDGE SHIRLEY WOHL KRAM
U. S. D. J.

Dated: April 16, 2008
New York, NY